

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**MIKKELSEN GRAPHIC ENGINEERING, INC.,
Plaintiff,**

v.

Case No. 07-C-0391

**ZUND AMERICA, INC.,
Defendant.**

DECISION AND ORDER

This order addresses two matters. First, I must inform the parties that the court's email address for proposed orders is not monitored and should not be used to communicate with the court. I raise this matter because the parties emailed their joint proposed discovery schedule to that address on December 19, 2013, but did not also electronically file it on the docket or otherwise inform the court that they had submitted the proposed schedule. The court only recently discovered that the proposed schedule had been submitted.

The second matter is MGE's motion to strike certain materials that Zund filed in opposition to MGE's motion for summary judgment of assignor estoppel. MGE contends that Zund has filed materials that fall outside the scope of a "supplemental brief" in opposition to MGE's motion. However, in describing the materials that Zund would be permitted to file as a "supplemental brief," I did not intend to place any limits on the types of materials that Zund would be permitted to file. Thus, Zund's response materials were appropriately filed and will not be struck.

In its motion to strike, MGE asks that it be given 21 days from the date of this order to file its reply materials. I will grant this request, but MGE is advised that I view motions to strike with disfavor and almost never grant them. If in the future MGE decides to file a motion to strike, it should assume that the motion will be denied and assume that I will not grant it additional time to file a response to the material that it seeks to have struck. Rather, MGE should file its response to the material within the original time for filing its response.

Accordingly, **IT IS ORDERED** that MGE's motion to strike is **DENIED**, but that MGE shall have 21 days from the date of this order to file its reply materials in support of its motion for summary judgment of assignor estoppel.

Dated at Milwaukee, Wisconsin, this 14th day of January, 2014.

s/ Lynn Adelman

LYNN ADELMAN
District Judge